

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3249



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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March 20, 2017

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *PP*  
Staff Director

FROM: Patricia C. Orrock *AC for PCO*  
Chief Compliance Officer

Debbie Chacona *AC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *BH*  
Reports Analysis Division *ll for KR*  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2016 12 Day Pre-General Report  
(Unauthorized Committees – Quarterly Filers) for the Administrative Fine  
Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2016 12 Day Pre-General Report in accordance with 52 U.S.C. § 30104(a). The list is comprised of unauthorized quarterly filers that made General Election contributions or expenditures from October 1, 2016 through October 19, 2016, and failed to file or timely file the 2016 12 Day Pre-General Report.

The committees listed on the attached RTB Circulation Report either failed to file the report or failed to file the report prior to four (4) days before the General Election (considered a non-filed report). In accordance with the schedule of civil money penalties at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

As noted above, the 2016 12 Day Pre-General Report circulation list includes unauthorized quarterly filers that made General Election contributions or expenditures from October 1, 2016 through October 19, 2016, but failed to file or timely file the 2016 12 Day Pre-General Election Report. In order to accurately identify these committees for administrative fine purposes, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 12 Day Pre-General Report (12G) submitted by an unauthorized quarterly filer was reviewed to ensure that it disclosed General Election contributions or expenditures made during the coverage dates of the report. Any report meeting this definition that was filed late is included in the list. Any report not disclosing general election contributions or expenditures during this period is not included in the list, as it is not a required filing.
- Every 30 Day Post-General Report (30G) submitted by an unauthorized quarterly filer that covered the period from October 1, 2016 through November 28, 2016 (59 days) was reviewed for activity which would have required the filing of a 12G. If our research indicated that a 12G was required, we utilized a three-step method to arrive at the activity on which to base the 12G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 32.2% (19 days (12G Filing Period)/59 days (30G Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 12G.

## Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission  
Reason to Believe Circulation Report  
2016 PRE-GENERAL Election Sensitive 10/27/2016 UNAUTH\_Q

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3235	C00623256	AMERICA COMES FIRST PAC		DAVID W. SCHAMENS	\$457,720	0	12/5/2016	Not Filed	\$10,711	\$1,176
3236	C00492579	AMERICAN PRINCIPLES BELIEVE IN LIFE LIBERTY YOURSELF (BILLY PAC)		EYTAN LAOR	\$303,458	0	12/8/2016	Not Filed	\$2,796	\$654
3237	C00559146	CNA FINANCIAL CORPORATION CITIZENS FOR GOOD GOVERNMENT		JERED TAYLOR	\$197,500	0	1/26/2017	Not Filed	\$21,190	\$1,176
3238	C00078287	WORKERS OF AMERICA LOCAL 13000		KAREN E. MELCHERT	\$428,835	0	11/28/2016	Not Filed	\$28,698	\$1,829
3239	C00109595	COMMUNICATION WORKERS OF AMERICA		MARISA MACCRORY	\$437,396	0	12/8/2016	Not Filed	\$15,242	\$1,176
3240	C00388181	CONNELL FOLEY PAC A NEW JERSEY NON-PROFIT CORPORATION		JOHN P. LACEY	\$120,691	0	1/31/2017	Not Filed	\$1,000	\$654
3241	C00387894	GCI PAC		CHRIS NIERMAN	\$114,199	0	12/20/2016	Not Filed	\$1,007	\$654
3242	C00297531	GOVERNMENT IS NOT GOD		NANCY MURRAY	\$118,518	0	12/16/2016	Not Filed	\$8,218	\$784
3243	C00332031	INDEPENDENT ELECTRICAL CONTRACTORS INC PAC (IEC PRIDE PAC)		JASON TODD	\$173,679	0	12/8/2016	Not Filed	\$5,202	\$784
3244	C00253369	INVESCO PLC PAC LOUISIANIANS FOR AMERICAN SECURITY		DOUG KIDD	\$198,182	0	12/8/2016	Not Filed	\$5,000	\$784
3245	C00144170	POLITICAL ACTION COMMITTEE		HANS STERNBERG	\$161,878	0	12/6/2016	Not Filed	\$4,000	\$654
3246	C00486860	MIDDLE CLASS AMERICA PAC		MIRIAM TAI	\$116,535	0	11/25/2016	Not Filed	\$12,000	\$1,176
3247	C00528026	NATIONAL CANNABIS INDUSTRY ASSOCIATION PAC		MICHAEL J. CORREIA	\$167,316	0	2/16/2017	Not Filed	\$1,000	\$654
3248	C00526046	PATRIOTS LEADING A MAJORITY		LOUIS SCHIAZZA	\$261,512	0	12/7/2016	Not Filed	\$49,000	\$1,829

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3249	C00558452	PROFESSIONAL COMPOUNDING CENTERS OF AMERICA POLITICAL ACTION COMMITTEE		EMORY ROGERS	\$372,498	0	12/8/2016	Not Filed	\$551	\$551
3250	C00436410	ROCK CITY PAC		KIMBERLY KAEGL	\$1,265,601	0	11/28/2016	Not Filed	\$42,503	\$1,829
3251	C00586180	RUSS VICTORY FUND		JOHN W. MILLER	\$2,606,125	0	1/3/2017	Not Filed	\$540,606	\$15,282
3252	C00570226	SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC		VINCENT DEVITO	\$5,239,399	0	12/8/2016	Not Filed	\$314,463	\$12,503

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2016 )  
12 Day Pre-General Report (Unauthorized )  
Committees – Quarterly Filers) for the )  
Administrative Fine Program: )  
AMERICA COMES FIRST PAC, and ) AF# 3235  
SCHAMENS, DAVID W MR. as treasurer; )  
AMERICAN PRINCIPLES, and LAOR, ) AF# 3236  
EYTAN as treasurer; )  
BELIEVE IN LIFE LIBERTY YOURSELF ) AF# 3237  
(BILLY PAC), and TAYLOR, JERED as )  
treasurer; )  
CNA FINANCIAL CORPORATION ) AF# 3238  
CITIZENS FOR GOOD GOVERNMENT, )  
and MELCHERT, KAREN E. as treasurer; )  
COMMUNICATION WORKERS OF ) AF# 3239  
AMERICA LOCAL 13000, and )  
MACCRORY, MARISA as treasurer; )  
CONNELL FOLEY PAC A NEW JERSEY ) AF# 3240  
NON-PROFIT CORPORATION, and )  
JOHN P LACEY as treasurer; )  
GCI PAC, and NIERMAN, CHRIS as ) AF# 3241  
treasurer; )  
GOVERNMENT IS NOT GOD, and ) AF# 3242  
MURRAY, NANCY as treasurer; )  
INDEPENDENT ELECTRICAL ) AF# 3243  
CONTRACTORS INC PAC (IEC PRIDE )  
PAC), and TODD, JASON as treasurer; )  
INVESCO PLC PAC, and KIDD, DOUG as ) AF# 3244  
treasurer; )  
LOUISIANIANS FOR AMERICAN ) AF# 3245  
SECURITY POLITICAL ACTION )  
COMMITTEE, and STERNBERG, HANS )  
as treasurer; )  
MIDDLE CLASS AMERICA PAC, and ) AF# 3246  
MIRIAM TAI as treasurer; )

NATIONAL CANNABIS INDUSTRY                      AF# 3247  
ASSOCIATION PAC, and MICHAEL J.  
CORREIA as treasurer;  
PATRIOTS LEADING A MAJORITY, and    ) AF# 3248  
SCHIAZZA, LOUIS as treasurer;        )  
PROFESSIONAL COMPOUNDING            ) AF# 3249  
CENTERS OF AMERICA POLITICAL        )  
ACTION COMMITTEE, and ROGERS,        )  
EMORY as treasurer;                    )  
ROCK CITY PAC, and KAEGI,            ) AF# 3250  
KIMBERLY as treasurer;                )  
RUSS VICTORY FUND, and MILLER,        ) AF# 3251  
JOHN W. as treasurer;                )  
SEAL PAC SUPPORTING ELECTING        ) AF# 3252  
AMERICAN LEADERS PAC, and            )  
DEVITO, VINCENT ESQ. as treasurer;    )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission,  
do hereby certify that on March 22, 2017 the Commission took the following actions  
on the Reason To Believe Recommendation - 2016 12 Day Pre-General Report  
(Unauthorized Committees – Quarterly Filers) for the Administrative Fine Program as  
recommended in the Reports Analysis Division's Memorandum dated March 20, 2017,  
on the following committees:

AF#3235        Decided by a vote of 5-0 to: (1) find reason to believe that AMERICA  
COMES FIRST PAC, and SCHAMENS, DAVID W MR. as treasurer violated 52 U.S.C.  
30104(a) and make a preliminary determination that the civil money penalty would be the  
amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman,  
Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3236        Decided by a vote of 5-0 to: (1) find reason to believe that AMERICAN  
PRINCIPLES, and LAOR, EYTAN as treasurer violated 52 U.S.C. 30104(a) and make a  
preliminary determination that the civil money penalty would be the amount indicated on

the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3237 Decided by a vote of 5-0 to: (1) find reason to believe that BELIEVE IN LIFE LIBERTY YOURSELF (BILLY PAC), and TAYLOR, JERED as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3238 Decided by a vote of 5-0 to: (1) find reason to believe that CNA FINANCIAL CORPORATION CITIZENS FOR GOOD GOVERNMENT, and MELCHERT, KAREN E. as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3239 Decided by a vote of 5-0 to: (1) find reason to believe that COMMUNICATION WORKERS OF AMERICA LOCAL 13000, and MACCRORY, MARISA as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3240 Decided by a vote of 5-0 to: (1) find reason to believe that CONNELL FOLEY PAC A NEW JERSEY NON-PROFIT CORPORATION, and JOHN P LACEY as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3241 Decided by a vote of 5-0 to: (1) find reason to believe that GCI PAC, and NIERMAN, CHRIS as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3242 Decided by a vote of 5-0 to: (1) find reason to believe that GOVERNMENT IS NOT GOD, and MURRAY, NANCY as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3243 Decided by a vote of 5-0 to: (1) find reason to believe that INDEPENDENT ELECTRICAL CONTRACTORS INC PAC (IEC PRIDE PAC), and

TODD, JASON as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, ~~Hunter~~, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3244 Decided by a vote of 5-0 to: (1) find reason to believe that INVESCO PLC PAC, and KIDD, DOUG as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3245 Decided by a vote of 5-0 to: (1) find reason to believe that LOUISIANIANS FOR AMERICAN SECURITY POLITICAL ACTION COMMITTEE, and STERNBERG, HANS as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3246 Decided by a vote of 5-0 to: (1) find reason to believe that MIDDLE CLASS AMERICA PAC, and MIRIAM TAI as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3247 Decided by a vote of 5-0 to: (1) find reason to believe that NATIONAL CANNABIS INDUSTRY ASSOCIATION PAC, and MICHAEL J. CORREIA as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3248 Decided by a vote of 5-0 to: (1) find reason to believe that PATRIOTS LEADING A MAJORITY, and SCHIAZZA, LOUIS as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3249 Decided by a vote of 5-0 to: (1) find reason to believe that PROFESSIONAL COMPOUNDING CENTERS OF AMERICA POLITICAL ACTION COMMITTEE, and ROGERS, EMORY as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

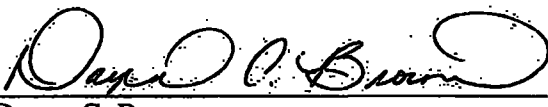
AF#3250 Decided by a vote of 5-0 to: (1) find reason to believe that ROCK CITY PAC, and KAEGI, KIMBERLY as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3251 Decided by a vote of 5-0 to: (1) find reason to believe that RUSS VICTORY FUND, and MILLER, JOHN W. as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3252 Decided by a vote of 5-0 to: (1) find reason to believe that SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC, and DEVITO, VINCENT ESQ. as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

March 22, 2017  
Date

  
Dayna C. Brown  
Secretary and Clerk of the Commission



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

March 24, 2017

Emory Rogers, in official capacity as Treasurer  
Professional Compounding Centers of America Political Action Committee  
9901 South Wilcrest Dr.  
Houston, TX 77099

C00558452

AF#: 3249

Dear Mr. Rogers:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report is required if your committee makes a contribution to or expenditure on behalf of a candidate in the general election. This report, covering the period October 1, 2016 through October 19, 2016, shall be filed no later than October 27, 2016. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report prior to four (4) days before the General Election held on November 8, 2016, the report is considered not filed for the purpose of calculating the civil money penalty. You should file the report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On March 22, 2017, the FEC found that there is reason to believe ("RTB") that Professional Compounding Centers of America Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before October 27, 2016. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$551. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$551 is due within forty (40) days of the finding, or by May 1, 2017, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$551

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the General Election held on November 8, 2016 are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 1, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

**2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Professional Compounding Centers of America Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Aimee Wechsler in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Steven T. Walther  
Chair

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$551 for the 2016 Pre-General Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: Professional Compounding Centers of America Political Action Committee

FEC ID#: C00558452

AF#: 3249

PAYMENT DUE DATE: May 1, 2017

PAYMENT AMOUNT DUE: \$551



ATTORNEYS AT LAW

1666 K Street, NW  
Suite 500  
Washington, DC 20006  
T 202.887.1400  
F 202.466.3215

Kate A. Belinski  
D 202.887.1473  
kbelinski@nossaman.com

April 28, 2017

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

Re: C00558452, AF#: 3249

To Whom It May Concern:

Professional Compounding Centers of America Political Action PAC ("PCCA PAC") (FEC ID# C00558452) is in receipt of the civil penalty notice from the Federal Election Commission dated March 24, 2017. PCCA PAC is challenging the RTB finding and civil monetary penalty assessment based on a factual error in the RTB finding.

PCCA PAC's 2016 Post-General Report disclosed an in-kind contribution payment to Angerholzer Broz Consulting dated October 18, 2016. While this is the date that PCCA PAC made the payment to the consultant, it is not the date of the actual in-kind contribution to the candidates, Rep. Steny Hoyer and Rep. Peter Welch. The date of the Hoyer fundraiser was September 9, 2016 and the date of the Welch fundraiser was September 22, 2016. The in-kind payment covered room rental and refreshments for the fundraisers that were hosted by PCCA PAC. We are including as Exhibit A the portion of the Welch for Congress report that shows the receipt of the in-kind contribution on September 22, 2016. We note that we do not see anywhere in the Hoyer reports the receipt of the in-kind contribution from PCCA PAC. We notified them of the in-kind in a letter sent immediately after the event, and we will follow up with them to inquire about the reporting.

We recognize that the PAC inadvertently reported these costs incorrectly in the original reports. Amended reports reflecting the date of the in-kind contribution and the subsequent memo item reflecting the payment to Angerholzer Broz Consulting are attached as Exhibit B (October 15 Quarterly Report) and Exhibit C (30-Day Post-General Report). Had these contributions been properly reported in the first place, we do not believe a Pre-General Report would have been due, since no contribution or expenditure was made on behalf of a candidate during that period, it was merely the payment to the vendor of the in-kind contributions reported on September 9 and 22, 2016.

Accordingly, we respectfully request that the Federal Election Commission rescind the Reason to Believe finding against PCCA PAC and remove the obligation to pay the civil monetary penalty.



PCCA PAC takes its compliance obligations very seriously and has instituted additional safeguards to ensure this does not happen again in the future.

Sincerely,

Kate A. Belinski  
for Nossaman LLP

Emory Rogers, in his official  
capacity as Treasurer of PCCA PAC

KAB:kmb



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 29, 2017

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3249 – Professional Compounding Centers of America Political Action Committee and Emory Rogers, in his official capacity as Treasurer (C00558452)

**Summary of Recommendation**

Terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

**Reason-to-Believe Background**

The 2016 Pre-General Report covering October 1 through October 19, 2016 was due on October 27, 2016. On December 8, 2016, the Committee filed the 2016 Post-General Report covering the period of October 1 through November 28, 2016. The Committee disclosed activity which should have been reported on the 2016 Pre-General Report. The 2016 Pre-General Report is election sensitive. Since the activity was not filed prior to four days before the November 8, 2016 General Election, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(2).

On March 22, 2017, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Pre-General Report and made a preliminary determination that the civil money penalty was \$551 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on March 24, 2017 to notify them of the Commission's RTB finding and civil money penalty.

**Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee not authorized by a candidate which is filing on a quarterly basis shall file a pre-election report no later than the 12<sup>th</sup> day before any election in which the committee makes contributions or expenditures in connection with such election if such disbursements have not been previously disclosed. The report shall disclose all receipts and disbursements as of the 20th day before the election. 52 U.S.C. § 30104(a)(4)(A) and 11 C.F.R. § 104.5(c). The Pre-General Report is an election sensitive report pursuant to 11 C.F.R. § 111.43(d)(1). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

## Summary of Respondents' Challenge

On May 4, 2017, the Commission received the written response ("challenge") from the Treasurer and counsel. The respondents contend they were not required to file the 2016 Pre-General Report and request that the Commission rescind the RTB finding and civil money penalty.

The respondents explain they incorrectly reported the date of two in-kind contributions on Schedule B of the 2016 Post-General Report. As originally reported, the in-kind contributions were made on October 18, 2016 and triggered their requirement to file the 2016 Pre-General Report. However, the respondents state the in-kind contributions were actually made to the candidates on September 9 and 22, 2016, and they have filed Amended 2016 October Quarterly and Post-General Reports to make the necessary corrections.

## Analysis

The Committee's original 2016 Post-General Report, received December 8, 2016, disclosed activity which triggered their requirement to file the 2016 Pre-General Report. The activity included two disbursements made on October 18, 2016, totaling \$500. The disbursements were made to Angerholzer Bros Consulting LLC for the purpose of "In-Kind for Hosting Event" and in connection with the 2016 General Election. Given this activity was not timely filed on the 2016 Pre-General Report, the Commission found RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Pre-General Report and made a preliminary determination that the civil money penalty was \$551 based on the schedule of penalties at 11 C.F.R. § 111.43.

The challenge states that the Committee incorrectly reported the date of these disbursements, and the Committee filed the necessary amendments to make the corrections. On April 19, 2017, the Committee filed Amended 2016 October Quarterly and Post-General Reports. The two disbursements are now reported as being made to the candidates on September 9 and 22, 2016 and are correctly disclosed on the Amended 2016 October Quarterly Report. The Amended 2016 Post-General Report discloses no activity which would have required the Committee to file the 2016 Pre-General Report.

According to the Assistant Staff Director of RAD, the additional information provided in the challenge and amended reports adequately clarify and disclose the in-kind contributions. The respondents were not required to file the 2016 Pre-General Report. Therefore, the Reviewing Officer recommends that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

## OAR Recommendations

- 1) Terminate the proceedings in AF# 3249 that the Professional Compounding Centers of America Political Action Committee and Emory Rogers, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
- 2) Send the appropriate letter.

## **Attachments**

**Attachment 1 –**

**Attachment 2 –**

**Attachment 3 – Declaration from RAD**

**Attachment 4 – Declaration from OAR**

### DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Professional Compounding Centers of America Political Action Committee ("PCCA PAC"):
  - A) Reason-to-Believe Letter, dated March 24, 2017, referencing the 2016 12 Day Pre-General Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that Professional Compounding Centers of America Political Action Committee ("PCCA PAC") filed the 2016 30 Day Post-General Report, covering October 1, 2016 through November 28, 2016 with the Commission on December 8, 2016.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 30<sup>th</sup> day of May, 2017.

*Kristin Roser KR*

Kristin D. Roser  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

### DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A political committee not authorized by a candidate which is filing on a quarterly basis shall file a pre-election report no later than the 12<sup>th</sup> day before any election in which the committee makes contributions or expenditures in connection with such election if such disbursements have not been previously disclosed. The report shall disclose all receipts and disbursements as of the 20th day before the election. 52 U.S.C. § 30104(a)(4) and 11 C.F.R. § 104.5(c). Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on October 27, 2016 for the 2016 Pre-General Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - a) Cover Page and 1 page of Schedule B of the 2016 30 Day Post-General Report filed by Professional Compounding Centers of America Political Action Committee and Emory Rogers, in his official capacity as Treasurer. The report includes the coverage period of October 1, 2016 through November 28, 2016 and was filed on December 8, 2016.
  - b) Cover Page, 1 page of Schedule B, and 1 page of Miscellaneous Text of the Amended 2016 Post-General Report filed by Professional Compounding Centers of America Political Action Committee and Emory Rogers, in his official capacity as Treasurer. The report includes the coverage period of October 1, 2016 through November 28, 2016 and was filed on April 19, 2017.
  - c) Cover Page, 2 pages of Schedule B, and 2 pages of Miscellaneous of the Amended 2016 October Quarterly Report filed by Professional Compounding Centers of America Political Action Committee and Emory Rogers, in his official capacity as Treasurer. The report includes the coverage period of July 1, 2016 through September 30, 2016 and was filed on April 19, 2017.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 29th day of June, 2017.

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

**FEC  
FORM 3X****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼

Example: If typing, type over the lines.

12FE4M5

Professional Compounding Centers of America Political Action Committee

ADDRESS (number and street)

9901 South Wilcrest Dr

Check if different than previously reported. (ACC)

Houston

TX

77099

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C00558452

3. IS THIS  
REPORT☒ NEW  
(N)

OR

☐ AMENDED  
(A)4. TYPE OF REPORT  
(Choose One)

(a) Quarterly Reports:

- ☐ April 15  
Quarterly Report (Q1)
- ☐ July 15  
Quarterly Report (Q2)
- ☐ October 15  
Quarterly Report (Q3)
- ☐ January 31  
Year-End Report (YE)
- ☐ July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)
- ☐ Termination Report  
(TER)

(b) Monthly  
Report  
Due On:

- ☐ Feb 20 (M2) ☐ May 20 (M5) ☐ Aug 20 (M8) ☐ Nov 20 (M11)  
(Non-Election  
Year Only)
- ☐ Mar 20 (M3) ☐ Jun 20 (M6) ☐ Sep 20 (M9) ☐ Dec 20 (M12)  
(Non-Election  
Year Only)
- ☐ Apr 20 (M4) ☐ Jul 20 (M7) ☐ Oct 20 (M10) ☐ Jan 31 (YE)

(c) 12-Day  
PRE-Election  
Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
- ☐ Convention (12C) ☐ Special (12S)

Election on

11 / 08 / 2016

in the  
State of(d) 30-Day  
POST-Election  
Report for the:

- ☒ General (30G) ☐ Runoff (30R) ☐ Special (30S)

Election on

11 / 08 / 2016

in the  
State of

TX

5. Covering Period

10 / 01 / 2016

through

11 / 28 / 2016

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Rogers, Emory, . .

Type or Print Name of Treasurer

Signature of Treasurer

Rogers, Emory, . .

[Electronically Filed]

Date

12 / 08 / 2016

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office  
Use  
Only**FEC FORM 3X**  
Rev. 05/2016

**SCHEDULE B (FEC Form 3X)**  
**ITEMIZED DISBURSEMENTS**

 Use separate schedule(s)  
 for each category of the  
 Detailed Summary Page

 FOR LINE NUMBER:  
 (check only one)

PAGE 11 OF 12

<input type="checkbox"/> 21b	<input type="checkbox"/> 22	<input checked="" type="checkbox"/> 23	<input type="checkbox"/> 26	<input type="checkbox"/> 27
<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Professional Compounding Centers of America Political Action Committee

Full Name (Last, First, Middle Initial)

**A. Angerholzer Bros Consulting LLC**

Date of Disbursement

 Mailing Address 499 South Capitol Street, SW  
 Suite 422

10 / 18 / 2016

 City  
 Washington

 State  
 DC

 Zip Code  
 20003

FEC Identification Number

 Purpose of Disbursement  
 In-Kind for Hosting Event

☒ H2MD05155

Transaction ID : SB23.4875

Amount of Each Disbursement this Period

Candidate Name

HOYER, STENY HAMILTON, , ,

 Category/  
 Type

Office Sought:

☒ House  
☐ Senate  
☐ President

Disbursement For: 2016

☐ Primary ☒ General  
☐ Other (specify) ▼

State: MD

District: 05

250.00

☐ Memo Item

Full Name (Last, First, Middle Initial)

**B. Angerholzer Bros Consulting LLC**

Date of Disbursement

 Mailing Address 499 South Capitol Street, SW  
 Suite 422

10 / 18 / 2016

 City  
 Washington

 State  
 DC

 Zip Code  
 20003

FEC Identification Number

 Purpose of Disbursement  
 In-Kind for Hosting Event

☒ H6VT00180

Transaction ID : SB23.4880

Amount of Each Disbursement this Period

Candidate Name

WELCH, PETER, , ,

 Category/  
 Type

Office Sought:

☒ House  
☐ Senate  
☐ President

Disbursement For: 2016

☐ Primary ☒ General  
☐ Other (specify) ▼

State: VT

District: 00

250.00

☐ Memo Item

Full Name (Last, First, Middle Initial)

**C. COLLINS FOR CONGRESS**

Date of Disbursement

Mailing Address PO BOX 386

10 / 27 / 2016

 City  
 CLARENCE

 State  
 NY

 Zip Code  
 14031

FEC Identification Number

Purpose of Disbursement

☒ H8NY29032

Transaction ID : SB23.4845

Amount of Each Disbursement this Period

Candidate Name

COLLINS, CHRISTOPHER C, , ,

 Category/  
 Type

Office Sought:

☒ House  
☐ Senate  
☐ President

Disbursement For: 2016

☐ Primary ☒ General  
☐ Other (specify) ▼

State: NY

District: 27

1000.00

☐ Memo Item

SUBTOTAL of Disbursements This Page (optional).....▶

1500.00

TOTAL This Period (last page this line number only).....▶

Image# 201704199052319355

**FEC  
FORM 3X****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines.

12FE4M5

Professional Compounding Centers of America Political Action Committee

ADDRESS (number and street)

9901 South Wilcrest Dr

▼  
Check if different  
than previously  
reported. (ACC)

Houston

TX

77099

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00558452

3. IS THIS  
REPORTNEW  
(N)

OR

AMENDED  
(A)

4. TYPE OF REPORT

(Choose One)

(a) Quarterly Reports:

- ☐ April 15  
Quarterly Report (Q1)
- ☐ July 15  
Quarterly Report (Q2)
- ☐ October 15  
Quarterly Report (Q3)
- ☐ January 31  
Year-End Report (YE)
- ☐ July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)
- ☐ Termination Report  
(TER)

(b) Monthly  
Report  
Due On:

- ☐ Feb 20 (M2) ☐ May 20 (M5) ☐ Aug 20 (M8) ☐ Nov 20 (M11)  
(Non-Election  
Year Only)
- ☐ Mar 20 (M3) ☐ Jun 20 (M6) ☐ Sep 20 (M9) ☐ Dec 20 (M12)  
(Non-Election  
Year Only)
- ☐ Apr 20 (M4) ☐ Jul 20 (M7) ☐ Oct 20 (M10) ☐ Jan 31 (YE)

(c) 12-Day  
PRE-Election  
Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
- ☐ Convention (12C) ☐ Special (12S)

Election on

11 / 08 / 2016

in the  
State of(d) 30-Day  
POST-Election  
Report for the:

- ☒ General (30G) ☐ Runoff (30R) ☐ Special (30S)

Election on

11 / 08 / 2016

in the  
State of

TX

5. Covering Period

10 / 01 / 2016

through

11 / 28 / 2016

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.  
Rogers, Emory, ...

Type or Print Name of Treasurer

Signature of Treasurer

Rogers, Emory, ...

[Electronically Filed]

Date

04 / 19 / 2017

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office  
Use  
Only**FEC FORM 3X**  
Rev. 05/2016

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 11 OF 13

<input type="checkbox"/> 21b	<input type="checkbox"/> 22	<input checked="" type="checkbox"/> 23	<input type="checkbox"/> 26	<input type="checkbox"/> 27
<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

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NAME OF COMMITTEE (In Full)

Professional Compounding Centers of America Political Action Committee

Full Name (Last, First, Middle Initial)

**A. Angerholzer Bros Consulting LLC**

Date of Disbursement

Mailing Address 499 South Capitol Street, SW  
Suite 422

10 / 18 / 2016

City  
WashingtonState  
DCZip Code  
20003

FEC Identification Number

Purpose of Disbursement  
In-Kind for Hosting Event

C H2MD05155

Candidate Name

HOYER, STENY HAMILTON, , ,

Category/  
Type

Transaction ID : SB23.4932

Amount of Each Disbursement this Period

Office Sought:

☒ House☐ Senate☐ President

Disbursement For: 2016

☐ Primary☒ General☐ Other (specify) ▼

250.00

State: MD

District: 05

☒ Memo Item

Full Name (Last, First, Middle Initial)

**B. Angerholzer Bros Consulting LLC**

Date of Disbursement

Mailing Address 499 South Capitol Street, SW  
Suite 422

10 / 18 / 2016

City  
WashingtonState  
DCZip Code  
20003

FEC Identification Number

Purpose of Disbursement  
In-Kind for Hosting Event

C H6VT00160

Candidate Name

WELCH, PETER, , ,

Category/  
Type

Transaction ID : SB23.4933

Amount of Each Disbursement this Period

Office Sought:

☒ House☐ Senate☐ President

Disbursement For: 2016

☐ Primary☒ General☐ Other (specify) ▼

250.00

State: VT

District: 00

☒ Memo Item

Full Name (Last, First, Middle Initial)

**C. COLLINS FOR CONGRESS**

Date of Disbursement

Mailing Address PO BOX 386

10 / 27 / 2016

City  
CLARENCEState  
NYZip Code  
14031

FEC Identification Number

Purpose of Disbursement

C H8NY29032

Candidate Name

COLLINS, CHRISTOPHER C, , ,

Category/  
Type

Transaction ID : SB23.4845

Amount of Each Disbursement this Period

Office Sought:

☒ House☐ Senate☐ President

Disbursement For: 2016

☐ Primary☒ General☐ Other (specify) ▼

1000.00

State: NY

District: 27

☐ Memo Item

SUBTOTAL of Disbursements This Page (optional).....▶

1000.00

TOTAL This Period (last page this line number only).....▶

**FEC MISCELLANEOUS TEXT RELATED TO A REPORT, SCHEDULE OR ITEMIZATION**

**Form/Schedule: SB23**

**Transaction ID : SB23.4932**

**Payment to vendor for 9/9/16 event, as disclosed in October 2016 Quarterly Report**

**Form/Schedule: SB23**

Transaction ID: SB23.4933

**Payment to vendor for 9/22/16 event, as disclosed in October 2016 Quarterly Report**

Image# 201704199052319648

PAGE 1 / 14

FEC  
FORM 3XREPORT OF RECEIPTS  
AND DISBURSEMENTS  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines.

12FE4M5

Professional Compounding Centers of America Political Action Committee

ADDRESS (number and street)

9901 South Wilcrest Dr

Check if different  
than previously  
reported. (ACC)

Houston

TX

77099

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00558452

3. IS THIS  
REPORTNEW  
(N)

OR

AMENDED  
(A)4. TYPE OF REPORT  
(Choose One)

(a) Quarterly Reports:

- ☐ April 15  
Quarterly Report (Q1)
- ☐ July 15  
Quarterly Report (Q2)
- ☒ October 15  
Quarterly Report (Q3)
- ☐ January 31  
Year-End Report (YE)
- ☐ July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)
- ☐ Termination Report  
(TER)

(b) Monthly  
Report  
Due On:

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(Non-Election  
Year Only)
- ☐ Mar 20 (M3) ☐ Jun 20 (M6) ☐ Sep 20 (M9) ☐ Dec 20 (M12)  
(Non-Election  
Year Only)
- ☐ Apr 20 (M4) ☐ Jul 20 (M7) ☐ Oct 20 (M10) ☐ Jan 31 (YE)

(c) 12-Day  
PRE-Election  
Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
- ☐ Convention (12C) ☐ Special (12S)

Election on

M M / D D / Y Y Y Y

in the  
State of(d) 30-Day  
POST-Election  
Report for the:

- ☐ General (30G) ☐ Runoff (30R) ☐ Special (30S)

Election on

M M / D D / Y Y Y Y

in the  
State of

5. Covering Period

07 / 01 / 2016

through

09 / 30 / 2016

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.  
Rogers, Emory, ..

Type or Print Name of Treasurer

Signature of Treasurer

Rogers, Emory, ..

[Electronically Filed]

Date

04 / 19 / 2017

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office  
Use  
OnlyFEC FORM 3X  
Rev. 05/2016

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 11 OF 14

<input type="checkbox"/> 21b	<input type="checkbox"/> 22	<input checked="" type="checkbox"/> 23	<input type="checkbox"/> 26	<input type="checkbox"/> 27
<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Professional Compounding Centers of America Political Action Committee

Full Name (Last, First, Middle Initial)

**A. BUDDY PAC**

Date of Disbursement

Mailing Address 824 S MILLEDGE AVE STE 101

09 / 08 / 2016

City  
ATHENSState  
GAZip Code  
30605

FEC Identification Number

Purpose of Disbursement

☒ H4GA01039

Candidate Name

CARTER, EARL LEROY, , ,

Category/  
Type

Transaction ID : SB23.4818

Amount of Each Disbursement this Period

2500.00

Office Sought:

☒ House  
☐ Senate  
☐ President

Disbursement For: 2016

☐ Primary ☐ General  
☒ Other (specify) ▼

State: GA

District: 01

☐ Memo Item

Full Name (Last, First, Middle Initial)

**B. GUTHRIE FOR CONGRESS**

Date of Disbursement

Mailing Address PO BOX 9639

07 / 21 / 2016

City

BOWLING GREEN

State  
KYZip Code  
42102

FEC Identification Number

Purpose of Disbursement

☒ H8KY02031

Candidate Name

GUTHRIE, STEVEN BRETT, , ,

Category/  
Type

Transaction ID : SB23.4811

Amount of Each Disbursement this Period

1500.00

Office Sought:

☒ House  
☐ Senate  
☐ President

Disbursement For: 2016

☐ Primary ☒ General  
☐ Other (specify) ▼

State: KY

District: 02

☐ Memo Item

Full Name (Last, First, Middle Initial)

**C. HOYER FOR CONGRESS**

Date of Disbursement

Mailing Address 700 13TH STREET NW  
SUITE 600

09 / 09 / 2016

City

WASHINGTON

State  
DCZip Code  
20005

FEC Identification Number

Purpose of Disbursement

In-Kind Hosted Event

☒ H2MD05155

Transaction ID : SB23.4928

Amount of Each Disbursement this Period

250.00

Candidate Name

HOYER, STENY HAMILTON, , ,

Category/  
Type

Office Sought:

☒ House  
☐ Senate  
☐ President

Disbursement For: 2016

☐ Primary ☒ General  
☐ Other (specify) ▼

State: MD

District: 05

☐ Memo Item

SUBTOTAL of Disbursements This Page (optional).....▶

4250.00

TOTAL This Period (last page this line number only).....▶

**PAGE 12 / 14**

**Form/Schedule: SB23**  
**Transaction ID : SB23.4928**  
**In-Kind**

**Form/Schedule:**  
**Transaction ID:**

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER:  
(check only one)

PAGE 13 OF 14

<input type="checkbox"/> 21b	<input type="checkbox"/> 22	<input checked="" type="checkbox"/> 23	<input type="checkbox"/> 26	<input type="checkbox"/> 27
<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Professional Compounding Centers of America Political Action Committee

Full Name (Last, First, Middle Initial)

A. MARSHA BLACKBURN FOR CONGRESS, INC.

Date of Disbursement

Mailing Address PO BOX 3750

MM	DD	YY
09	08	2016

City  
BRENTWOODState  
TNZip Code  
37024

FEC Identification Number

Purpose of Disbursement

C	H2TN06030
Transaction ID : SB23.4815	
Amount of Each Disbursement this Period	
2500.00	

Candidate Name

BLACKBURN, MARSHA MRS., , ,

Category/  
Type

Office Sought:

☒ House  
☐ Senate  
☐ President

Disbursement For: 2016

☐ Primary ☒ General  
☐ Other (specify) ▼

State: TN

District: 07

☐ Memo Item

Full Name (Last, First, Middle Initial)

B. WELCH FOR CONGRESS

Date of Disbursement

Mailing Address PO BOX 1882

MM	DD	YY
09	22	2016

City  
BURLINGTONState  
VTZip Code  
05402

FEC Identification Number

Purpose of Disbursement  
In-Kind Hosted Event

C	H6VT00160
Transaction ID : SB23.4930	
Amount of Each Disbursement this Period	
250.00	

Candidate Name

WELCH, PETER, , ,

Category/  
Type

Office Sought:

☒ House  
☐ Senate  
☐ President

Disbursement For: 2016

☐ Primary ☒ General  
☐ Other (specify) ▼

State: VT

District: 00

☐ Memo Item

Full Name (Last, First, Middle Initial)

C.

Date of Disbursement

Mailing Address

MM	DD	YY

City

State

Zip Code

FEC Identification Number

Purpose of Disbursement

C	
Amount of Each Disbursement this Period	

Candidate Name

Category/  
Type

Office Sought:

☐ House  
☐ Senate  
☐ President

Disbursement For:

☐ Primary ☐ General  
☐ Other (specify) ▼

State:

District:

☐ Memo Item

SUBTOTAL of Disbursements This Page (optional).....

2750.00

TOTAL This Period (last page this line number only).....

7000.00

Image# 201704199052319661

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**FEC MISCELLANEOUS TEXT RELATED TO A REPORT, SCHEDULE OR ITEMIZATION**

Form/Schedule: SB23

Transaction ID : SB23,4930

In-Kind

Form/Schedule:

Transaction ID:

11/06/2017 10:24:11



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 29, 2017

Emory Rogers, in official capacity as Treasurer  
Professional Compounding Centers of America Political Action Committee  
9901 South Wilcrest Dr.  
Houston, TX 77099

C00558452  
AF#: 3249

Dear Mr. Rogers:

On March 22, 2017, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Professional Compounding Centers of America Political Action Committee and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Pre-General Report. The Commission also made a preliminary determination that the civil money penalty was \$551 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission terminate the proceedings and close the file. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2017 JUL 12 AM 9:22

**SENSITIVE**

July 12, 2017

**MEMORANDUM**

**To:** The Commission

**Through:** Alec Palmer *AWP*  
Staff Director

**From:** Patricia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

**Subject:** Final Determination Recommendation in AF# 3249 – Professional Compounding Centers of America Political Action Committee and Emory Rogers, in his official capacity as Treasurer (C00558452)

On March 22, 2017, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Post-General Report and made a preliminary determination that the civil money penalty was \$551 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 4, 2017, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated June 29, 2017 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). Counsel has since indicated they will not be submitting a response.

### **OAR Recommendations**

- 1) Terminate the proceedings in AF# 3249 that the Professional Compounding Centers of America Political Action Committee and Emory Rogers, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
- 2) Send the appropriate letter.

11/03/2011 11:03 AM

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3249  
Final Determination Recommendation: )  
Professional Compounding Centers of )  
America Political Action Committee and )  
Emory Rogers, in his official capacity as )  
Treasurer (C00558452) )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election  
Commission, do hereby certify that on July 19, 2017, the Commission decided  
by a vote of 5-0 to take the following actions in AF# 3249:

1. Terminate the proceedings in AF# 3249 that the Professional  
Compounding Centers of America Political Action Committee  
and Emory Rogers, in his official capacity as Treasurer, violated  
52 U.S.C. § 30104(a) and close the file.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted  
affirmatively for the decision.

Attest:

July 19, 2017  
Date

Dayna C. Brown  
Dayna C. Brown  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 27, 2017

Emory Rogers, in official capacity as Treasurer  
Professional Compounding Centers of America Political Action Committee  
9901 South Wilcrest Dr.  
Houston, TX 77099

C00558452  
AF#: 3249

Dear Mr. Rogers:

On March 22, 2017, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Professional Compounding Centers of America Political Action Committee and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 Pre-General Report. The Commission also made a preliminary determination that the civil money penalty was \$551 based on the schedule of penalties at 11 C.F.R. § 111.43. On May 4, 2017, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission terminate the proceedings and close the file. The Reviewing Officer Recommendation was sent to you on June 29, 2017.

On July 19, 2017, the Commission adopted the Reviewing Officer's recommendation, and voted to terminate the proceedings with respect to 52 U.S.C. § 30104(a) and close the file. A copy of the Final Determination Recommendation is attached.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification. If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

A handwritten signature in cursive script, reading "Steven T. Walther".

Steven T. Walther  
Chairman

Attachment

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3249